

Filed for intro on 02/22/95  
Senate Bill \_\_\_\_\_  
By \_\_\_\_\_

House No. HB1347  
By Winningham

AN ACT to authorize admission of certain nonresidents to public institutions of postsecondary education and to establish tuition standards and to amend Tennessee Code Annotated, Title 49.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-8-102(a), is amended by deleting subdivisions (1) and (2) of subsection (a) in their entirety and substituting the following new subdivisions:

(a)(1) Persons who otherwise meet admission requirements shall be admitted to any state school or university in the state university and community college system, without tuition, if they are residents of the state, or if they are nonresidents whose bona fide place of residence is in a county of another state lying immediately adjacent to a county in this state or if such bona fide residence is within thirty (30) miles of the state's border, except that nonresident students at each institution shall not exceed three percent (3%) of the full-time equivalent attendance of that institution.

(2) With respect to nonresidents, the requirement that nonresident students at each institution shall not exceed three percent (3%) of the full-time equivalent attendance of that institution shall not apply to Austin Peay State University.

(3) With respect to nonresidents, persons who otherwise meet admissions requirements shall be admitted to Dyersburg State Community College with in-state tuition, if they are residents of the state or if they are nonresidents whose bona fide place of residence is in Mississippi County, Arkansas, or either Dunklin County or Pemiscot County, Missouri. However, such students shall not be counted in the consideration of any future capital construction.

SECTION 2. Tennessee Code Annotated, Section 49-8-102, is amended by deleting subsection (b)(2) in its entirety.

SECTION 3. Tennessee Code Annotated, Section 49-8-102, is amended by deleting subsection (c) in its entirety and substituting the following:

(c)(1) The Tennessee higher education commission has the authority to determine the number of affected students, and every three (3) years an adjustment shall be made in the number of nonresident students admitted according to this section; and

(2) In the case of any question of admission between applicants who are residents of Tennessee and applicants who are not residents of Tennessee, the preference in admission shall be given to Tennessee residents who are equally qualified relative to nonresident applicants.

SECTION 4. Tennessee Code Annotated, Section 49-9-105, is amended by designating the present language as subsection (a) and adding the following language as subsections (b) and (c):

(b) Nonresidents who otherwise meet admission requirements shall be admitted to the undergraduate programs in nursing and allied health at the University of

Tennessee, Memphis without tuition if their bona fide place of residence in another state is a county lying immediately adjacent to Shelby County, or if their bona fide residence in another state is within thirty (30) miles of the University of Tennessee, Memphis, except that such nonresidents admitted without tuition shall not exceed three percent (3%) of the full-time equivalent undergraduate enrollment of the University of Tennessee, Memphis.

(c) Nonresidents who otherwise meet admission requirements shall be admitted to the University of Tennessee at Chattanooga without tuition if their bona fide place of residence in another state is a county lying immediately adjacent to Hamilton County, or if their bona fide residence in another state is within thirty (30) miles of the University of Tennessee at Chattanooga, except that such nonresidents admitted without tuition shall not exceed three percent (3%) of the full-time equivalent enrollment of the University of Tennessee, Chattanooga.

SECTION 5. The governing boards of each system of higher education shall adopt and implement policies which shall permit admission of nonresident students and payment of tuition in conformity with this act effective with the first fall term following enactment.

SECTION 6. Any additional expense incurred by institutions of higher education in implementing the provisions of this act, shall be met by the institutions for the 1995-96 fiscal year through funds otherwise available for the operation of public higher education institutions in the 1995-96 fiscal year.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

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